



DAE
ITW

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 31, 2005.

C. Healion

C. Healion

Applicant : Theodore Trost, et al.
Application No. : 09/788,061
Filed : February 16, 2001
Title : BLUETOOTH BASEBAND SOLUTION WITH REDUCED
PROCESSOR REQUIREMENTS AND INTEGRATED HOST
CONTROLLER

Grp./Div. : 2682
Examiner : Yun, Eugene

Docket No. : 41524/RJP/B600

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT
BASED ON FAILURE TO RECEIVE OFFICE ACTION
(MPEP 711.03(C)(I)(A) and 37 CFR § 1.181)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Post Office Box 7068
Pasadena, CA 91109-7068
January 31, 2005

Commissioner:

Broadcom Corporation (hereafter Applicant) requests that the holding of Abandonment of the above-referenced Application be withdrawn based on the failure to receive an Office Action.

Applicant has not received an official Notice of Abandonment. However, on December 15, 2004 Examiner Yun informed the undersigned that an Office action had been mailed for this application. This Office action was mailed on June 14, 2004 and no response has been filed. Accordingly, it appears that the Office considers this application to be abandoned.

Application No. 09/788,061

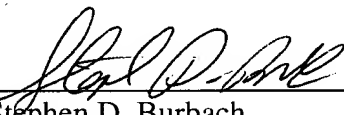
As attested to in the concurrently filed Practitioner's Statement, a search of the file and the docketing records for this application indicates that the Office action was not received by Applicant's representative, Christie, Parker & Hale, LLP.

Accordingly, Applicant requests that this Petition be granted and the Office action be re-mailed to Applicant's representative at the following address:

**Christie, Parker & Hale, LLP,
P.O. Box 7068, Pasadena, CA 91109-7068
Customer Number: 23363**

The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required by this paper to Deposit Account No. 03-1728. Please show our docket number with any charge or credit to our Deposit Account. **A copy of this letter is enclosed.**

Respectfully submitted,
CHRISTIE, PARKER & HALE, LLP

By 
Stephen D. Burbach
Reg. No. 40,285
626/795-9900

SDB/sdb
Enclosures: Response
CAH PAS605051.1-*01/31/05 9:04 AM



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Application No. : 09/788,061
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Title : BLUETOOTH BASEBAND SOLUTION WITH REDUCED
PROCESSOR REQUIREMENTS AND INTEGRATED HOST
CONTROLLER

Grp./Div. : 2682
Examiner : Yun, Eugene

Docket No. : 41524/RJP/B600

**PRACTITIONER'S STATEMENT IN SUPPORT OF
PETITION TO WITHDRAW HOLDING OF ABANDONMENT
BASED ON FAILURE TO RECEIVE OFFICE ACTION
(MPEP 711.03(C)(I)(A) and 37 CFR § 1.181)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Post Office Box 7068
Pasadena, CA 91109-7068
January 31, 2005

Commissioner:

This Statement is being made in support of the Petition to Withdraw Holding of Abandonment Based on Failure to Receive Office Action concurrently filed by Applicant Broadcom Corporation (hereafter Applicant).

1. On or about December 15, 2004 Examiner Yun telephone the offices of Christie, Parker & Hale, LLP (hereafter "Applicant's representative") to inquire as to the status of Applicant's response to a pending Office action. In a telephone conference on December 15, 2004, the Examiner informed the undersigned that an Office action had been mailed for this

Application No. 09/788,061

application. During this telephone conference the undersigned requested that the Examiner fax a copy of the Office action to the undersigned.

2. The undersigned subsequently searched Applicant's representative's file for this application and did not find the Office action or any indication that the Office action had been received by Applicant's representative. The undersigned also checked the docketing records of Applicant's representative and did not find any indication that the Office action had been received by Applicant's representative.

3. On December 23, 2004, the Examiner faxed a copy of pages 1 - 4 of the Office action the undersigned. The Examiner noted on the fax cover sheet that the Office action was mailed on June 14, 2004.

4. On January 4, 2005 the Examiner faxed a copy of the cover page of the Office action to the undersigned. The cover page of the Office action shows that it was not mailed to Applicant's representative, Christie, Parker & Hale, LLP, but was instead mailed to a co-inventor Alan Mikhak. A copy of the cover page and pages 1 - 4 of the Office action are attached hereto as Exhibit A. Applicant has not received a copy of the Office action from Mr. Mikhak.

5. Applicant notes that Mr. Mikhak is not of record as having assigned his rights in the invention to Applicant. Applicant notes that while it did mail a change of address for Mr. Mikhak to the Patent Office on April 4, 2002, Applicant did not request the Office to change the correspondence address for the application.

6. The correspondence address for this application was submitted with the original application papers on February 16, 2001. This correspondence address is listed as Christie, Parker & Hale, LLP, P.O. Box 7068, Pasadena, CA 91109-7068; Customer Number: 23363 on page 2 of the patent application transmittal. A copy of the patent application transmittal is attached hereto as Exhibit B. This address remains as the correspondence address for this application.


Application No. 09/788,061

7. Applicant did not received a copy of the Office action dated June 14, 2004 until the Examiner faxed the above-referenced portions of the Office action to the undersigned on December 23, 2004 and January 4, 2004, after the application had become abandoned.

8. Attached hereto as Exhibit C is a copy of a docketing report for the undersigned covering the time period December 11, 2004 - December 26, 2004. The above-referenced application (docket number B600:41524) was assigned to the undersigned's docket. If the Office action had been received by Applicant's representative the docket report would have included an entry for a deadline of December 14, 2004 for responding to the Office action for docket number B600:41524.

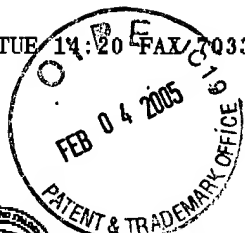
Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By 
Stephen D. Burbach
Reg. No. 40,285
626/795-9900

SDB/sdb

CAH PAS605060.1-*01/31/05 9:10 AM



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/788,061	02/16/2001	Theodore Trost	41524/NJP/B600	5102

7590 06/14/2004
ALAN MIKHAK
THE PEREUS GROUP, INC.
26500 WEST AGOURA ROAD #102-717
CALABASAS, CA 91302

EXAMINER

YUN, EUGENE

ART UNIT	PAPER NUMBER
----------	--------------

2682

DATE MAILED: 06/14/2004

15

Please find below and/or attached an Office communication concerning this application or proceeding.



Office Action Summary

Application No. 09/788,061	Applicant(s) TROST ET AL.	
	Examiner Eugene Yun	Art Unit 2682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

Application/Control Number: 09/788,061
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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4 and 8-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Vanden Heuvel et al. (US 5,426,424).

Referring to Claim 1, Vanden Heuvel teaches a wireless communications device, comprising:

A wireless transceiver (fig. 1);

A processor 106 (fig. 1) coupled to the wireless transceiver, the processor having a memory comprising a plurality of fragments 504 (fig. 5) and an array 501 (fig. 5) configured to control the sequence of memory fragments from which data is read.

Referring to Claim 2, Vanden Heuvel also teaches a second array 503 (fig. 5) configured to indicate a status of each of the memory fragments.

Referring to Claim 3, Vanden Heuvel also teaches the status indicated by the second array for each of the memory fragments comprising a bit to indicate whether its respective memory fragment is empty (see col. 4, lines 40-46).

Referring to Claim 4, Vanden Heuvel also teaches a read pointer 804 (fig. 8) configured to indicate the memory fragment from which the data is being read.

Claims 8-11 have similar limitations to Claims 1-4.

Application/Control Number: 09/788,061
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Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 5-7 and 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vanden Heuvel in view of Cripps (US 5,838,730).

Referring to Claims 5 and 12, Vanden Heuvel does not teach memory fragments comprising 64 bytes. Cripps teaches memory fragments comprising 64 bytes (see col. 6, lines 3-8). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Cripps to said device of Vanden Heuvel in order to preserve enough memory space for larger data.

Referring to Claims 6 and 13, Cripps also teaches the memory fragments comprising 128 memory fragments (see col. 6, lines 3-8).

Referring to Claims 7 and 14, Cripps also teaches the array comprising a 128 element array (see col. 6, lines 3-8).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eugene Yun whose telephone number is (703) 305-2689. The examiner can normally be reached on 8:30am-5:30pm Alt. Fridays off.

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Art Unit: 2682

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on (703) 308-6739. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Eugene Yun
Examiner
Art Unit 2682

EY

Notice of References Cited	Application/Control No. 09/788,061	Applicant(s)/Patent Under Reexamination TROST ET AL.	
	Examiner Eugene Yun	Art Unit 2682	Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-5,838,730 A	11-1998	Cripps, Peter K.	375/272
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

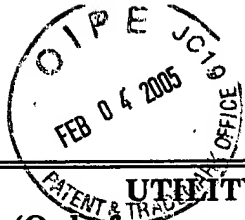
FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
 Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.



UTILITY PATENT APPLICATION TRANSMITTAL
(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No. : 41524/NJP/B600
Inventor(s) : Theodore Trost, Brima Ibrahim and Alan Mikhak
Title : BLUETOOTH BASEBAND SOLUTION WITH REDUCED
PROCESSOR REQUIREMENTS AND INTEGRATED HOST
CONTROLLER
Express Mail Label No. : EL387001685US

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

Date: February 16, 2001

1. ☒ **FEE TRANSMITTAL FORM** (*Submit an original, and a duplicate for fee processing*).

2. **IF A CONTINUING APPLICATION**

— This application is a of patent application No. .

Prior application information: Examiner ; Group Art Unit:

☒ This application claims priority pursuant to 35 U.S.C. §119(e) and 37 CFR §1.78(a)(4),
to provisional Application No. 60/183,076 filed February 16, 2000.

3. **APPLICATION COMPRISED OF**

Specification

36 Specification, claims and Abstract (total pages)

Drawings

29 Sheets of drawing(s) (FIGS. 1 to 27)

Declaration and Power of Attorney

— Newly executed

☒ Unexecuted declaration

— Copy from a prior application (37 CFR 1.63(d))(for continuation and divisional)

4. — **Microfiche Computer Program** (*Appendix*)

5. — **Nucleotide and/or Amino Acid Sequence Submission** (*if applicable, all necessary*)

— Computer Readable Copy

— Paper Copy (identical to computer copy)

— Statement verifying identity of above copies

6. **APPLICANT(S) STATUS UNDER 37 CFR § 1.27**

— Applicant(s) and any others associated with it/them under § 1.27(a) are a SMALL
ENTITY

7. **ALSO ENCLOSED ARE**

UTILITY PATENT APPLICATION TRANSMITTAL
(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.: 41524/NJP/B600

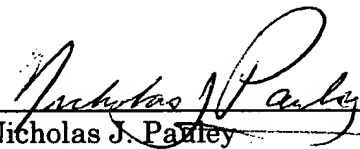
- ☐ Preliminary Amendment
- ☐ A Petition for Extension of Time for the parent application and the required fee are enclosed as separate papers
- ☐ An Assignment of the invention with the Recordation Cover Sheet and the recordation fee are enclosed as separate papers
- ☐ This application is owned by pursuant to an Assignment recorded at Reel , Frame
- ☐ Information Disclosure Statement (IDS)/PTO-1449
 - ☐ Copies of IDS Citations
- ☐ Certified copy of Priority Document(s) (*if foreign priority is claimed*)
- ☐ English Translation Document (*if applicable*)
- ☒ Return Receipt Postcard (MPEP 503) (should be specifically itemized).
- ☐ Other

8. CORRESPONDENCE ADDRESS

CHRISTIE, PARKER & HALE, LLP, P.O. BOX 7068, PASADENA, CA 91109-7068
Customer Number: 23363

Respectfully submitted,

CHRISTIE, PARKER & HALE, LLP

By 

Nicholas J. Pauley
Reg. No. 44,999
626/795-9900

NJP/clc

12/13/04 04:16:17 PM

WEEKLY PROSECUTION Calendar: 12/11/2004 to 12/26/2004

Page: 1

Note: Asterisk * Indicates date falls on the Weekend

Attorney - SDB Stephen D. Burbach

12/13/2004 Due Date	B600:50495 OFFICE ACTION [3 MON] RESPONSE DUE (13MAR05)	USA	PENDING	UTL-ORP A 50494-USA	RJP SDB	METHODS AND APPARATUS FOR ORDERING DATA IN A CRYPTOGRAPHY ACCELERATOR Tim Paaske et al Filed: 01/23/2003
12/13/2004 Due Date	C1015:51061 OFFICE ACTION [FOREIGN] RESP DUE PER ASSOC (04JAN05)	ENG 01	PENDING	UTL-DIV A 51061-ENG	DBP SDB	PULL PIN ASSEMBLY FOR CANOPY Dong Tack Suh Filed: 11/02/2004
12/14/2004 Due Date	B600:45188 OFFICE ACTION [3 MON] RESPONSE DUE (14MAR05)	USA	PUBLISHED	UTL-ORP A 39538-USA	RJP SDB	SYSTEM AND METHOD FOR THE CONCEALMENT OF DEVICE INPUT PARAMETERS Jeffrey D. Carr Filed: 07/06/2001
12/15/2004 Ext Date	B724:47566 FINAL REJECTION RESPONSE & EXT (15JAN05)	USA	PUBLISHED	UTL-ORD C	AW SDB	IMAGE FUSION SYSTEM AND METHOD Carlo Tiana Filed: 08/28/2002
12/15/2004 Deadline	B600:53946 FILING DEADLINE CASE FILED?	USA	NOT MAILED	UTL-PRO A	DBP SDB	A FULLY SYMMETRIC HIGH FREQUENCY SLICER WITH 50% DUTY CYCLE OUTPUT Hooman Darabi Filed:
12/15/2004 Deadline	B600:53947 FILING DEADLINE CASE FILED?	USA	NOT MAILED	UTL-PRO A	DBP SDB	A FULLY DIFFERENTIAL ANALOG AND CIRCUIT WITH SYMMETRIN INPUTS AND OUTPUT Hooman Darabi Filed:
12/15/2004 Deadline	B600:53948 FILING DEADLINE CASE FILED?	USA	NOT MAILED	UTL-PRO A	DBP SDB	A FULLY DIFFERENTIAL CURRENT STEERING CHARGE PUMP WITH RAIL-TO-RAIL UNITY BUFFER Hooman Darabi Filed:
12/18/2004 * Reminder	B600:52687 COMPLETE PRO APPL PROCESS NOTIFY CLIENT: FILE ORP/CPP (18JUN05)	USA	PENDING	UTL-PRO A	DBP SDB	TIMING VECTOR PROGRAM MECHANISM Yuqian C. Wong et al Filed: 06/18/2004

12/13/04 01:16:18 PM WEEKLY PROSECUTION Calendar: 12/11/2004 to 12/26/2004
Attorney - SDB Stephen D. Burbach

Note: Asterisk * Indicates date falls on the Weekend

12/20/2004 Due Date	I288:48492 OFFICE ACTION [3 MON] RESPONSE DUE (20MAR05)	USA	PUBLISHED	UTL-ORD C	SDB	CONTEXT SENSITIVE STORAGE MANAGEMENT David C. Fisk	Filed: 09/18/2002
12/23/2004 Deadline	S1103:50739 INVITE TO CORRECT DEFECTS RESPONSE DEADLINE	PCT	PUBLISHED	UTL-ORD A	MEG SDB	INTEGRATED PHOTOVOLTAIC ROOFING SYSTEM Edward J. Stevenson et al	Filed: 01/22/2004
12/23/2004 Due Date	B600:52373 PRIOR ART DUE FILE IDS/1449-6 MON (23JUN05)	USA	PENDING	UTL-CON C 50765-USA	RJP SDB	JITTER SUPPRESSION TECHNIQUES FOR LASER DRIVER CIRCUITS Xin Wang	Filed: 06/23/2004
12/24/2004 Due Date	B600:50449 FINAL REJECTION RESPONSE DUE (24MAR05)	USA	PENDING	UTL-ORP A 50448-USA	RJP SDB	ENCRYPTION PROCESSOR FOR PERFORMING ACCELERATED COMPUTATIONS TO ESTABLISH SECURE NETWORK SESSIONS Aamir Farooqui	Filed: 07/07/2000
12/25/2004 * Due Date	S1103:50739 INTL SEARCH RPT [2 MON] OPTIONAL AMEND DUE AT WIPO	PCT	PUBLISHED	UTL-ORD A	MEG SDB	INTEGRATED PHOTOVOLTAIC ROOFING SYSTEM Edward J. Stevenson et al	Filed: 01/22/2004